

GENERAL COUNSEL'S OPINION NUMBER 55-7, DATED 21 FEBRUARY 1955

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OGC HAS REVIEWED.

The authority to reimburse an employee for the use of his vehicle for official business, on an actual expense basis, does not authorize the reimbursement of parking fees.

TO THE ACTING COMPTROLLER

1. You have advised that several offices in the Agency authorize employees to use their privately-owned automobiles on official business for local transportation and that in many instances payment of parking fees is involved. You also advise that in view of the decision by the Comptroller General in 34 Comp. Gen. 139 a question has arisen with respect to the propriety of reimbursing employees for parking fees on an actual expense basis; and that it is proposed to reimburse them (a) on a mileage basis for each trip when the total amount payable includes the amount paid for parking, or (b) on an actual expense basis for each trip, when reimbursement on a mileage basis does not cover an amount for parking fees, provided that the total amount does not exceed the cost of transportation by common carrier.

2. Par. 12-a of the Standardized Government Travel Regulations authorizes Government employees to be paid at the rate of 7 cents a mile for the use of their privately-owned automobiles for official business, in lieu of the actual expenses of transportation, whenever such use is authorized or approved as being more advantageous to the Government (except that no determination in this regard is required when payment is limited to the cost of travel by common carrier); and in addition, reimbursement may be made for the actual cost of ferry fares, bridge, road and tunnel tolls. We perceive no legal objection to the Agency's reimbursing employees for the use of their vehicles on a mileage basis under plan (a), so long as the conditions prescribed in par. 12-a of the S.G.T.R. are met, and provided also that in accordance with the ruling in 34 Comp. Gen. 139, no additional allowance, other than for the cost of ferry fares, bridge, road and tunnel tolls is authorized.

3. As regards reimbursement on an actual expense basis under plan (b), it will be recalled that in 34 Comp. Gen. 139, 140, in response to the proposal of the United States Information Service to reimburse its employees for parking fees on an actual expense basis, when the cost would be less than the cost of taxicab fare, that the Comptroller General stated:

"Concerning the reimbursement of parking fees in the circumstances presented, and where mileage is not administratively authorized, I am of the opinion that under existing law and regulations the payment thereof is not authorized."

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In response to our informal inquiry regarding the wording "where mileage is not administratively authorized", the General Accounting Office advised that it was intended to be synonymous with "actual expense basis" as set forth in par. 12 of the Standardized Government Travel Regulations. Under the circumstances, we must advise that payment of parking fees under plan (b) would not be in accord with the views of the Comptroller General.

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LAWRENCE R. HOUSTON  
General Counsel

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